

1 SEC. 12. This Act, being deemed of immediate importance, shall  
 2 be in full force and effect from and after its passage and publication  
 3 in The Algona Upper Des Moines, a newspaper published at Algona,  
 4 Iowa, and in the Independence Conservative, a newspaper published  
 5 at Independence, Iowa.

Approved July 28, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

I hereby certify that the foregoing Act, Senate File 537, was published in The Algona Upper Des Moines, Algona, Iowa, August 3, 1967, and in the Independence Conservative, Independence, Iowa, August 8, 1967.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 107

### IOWA PUBLIC OFFICIALS ACT

S. F. 476

AN ACT relating to conflicts of interest of employees, officials and members of the general assembly of the state of Iowa.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. This Act shall be known as the "Iowa Public Officials  
 2 Act".

1 SEC. 2. When used in this Act, unless the context otherwise re-  
 2 quires:

3 1. "Compensation" means any money, thing of value, or financial  
 4 benefit conferred in return for services rendered or to be rendered.

5 2. "Legislative employee" means any full time officer or employee  
 6 of the general assembly but shall not include members of the general  
 7 assembly.

8 3. "Member of the general assembly" means any individual duly  
 9 elected to the senate or the house of representatives of the state of  
 10 Iowa.

11 4. "Regulatory agency" means department of agriculture, indus-  
 12 trial commissioner, bureau of labor, employment security commission,  
 13 department of banking, insurance department, department of health,  
 14 department of public safety, department of public instruction, board  
 15 of regents, board of control, board of social welfare, state tax commis-  
 16 sion, department of mines and minerals, commerce commission, liquor  
 17 control commission, board of pharmacy examiners, state conservation  
 18 commission, aeronautics commission, state highway commission, civil  
 19 rights commission, soil conservation committee, public defense, and  
 20 natural resources council.

21 5. "Employee" means any full time, salaried employee of the state  
 22 of Iowa and does not include part time employees or independent con-  
 23 tractors. Employee shall include but not be limited to all clerical  
 24 personnel.

25 6. "Official" means any officer of the state of Iowa receiving a sal-  
 26 ary or per diem whether elected or appointed or whether serving full

27 time or part time. Official shall include but not be limited to all super-  
28 visory personnel and members of state agencies and shall not include  
29 members of the general assembly or legislative employees.

30 7. "State agency" means any state department or division, board,  
31 commission, or bureau of the state including regulatory agencies.

32 Whenever the terms "legislative employee", "member of the general  
33 assembly", "employee", or "official" are used in this Act, the term shall  
34 be interpreted to include any firm or association of which any of the  
35 above is a member or partner and any corporation of which any of the  
36 above holds ten (10) percent or more of the stock either directly or  
37 indirectly. The use of the above terms shall also include wives and  
38 unemancipated minor children.

1 SEC. 3. No official, employee, member of the general assembly, or  
2 legislative employee shall sell any goods having a value in excess of  
3 five hundred (500) dollars to any state agency unless pursuant to an  
4 award or contract let after public notice and competitive bidding. This  
5 section shall not apply to the publication of resolutions, advertise-  
6 ments, or other legal propositions or notices in newspapers designated  
7 pursuant to law for such purpose and for which the rates are fixed  
8 pursuant to law.

1 SEC. 4. No official or employee of any regulatory agency shall sell,  
2 either directly or indirectly, any goods or services to individuals,  
3 associations, or corporations subject to the regulatory authority of the  
4 agency of which he is an official or employee.

1 SEC. 5. No official, employee, member of the general assembly, or  
2 legislative employee shall, directly or indirectly, solicit, accept, or re-  
3 ceive any gift having a value of twenty-five (25) dollars or more  
4 whether in the form of money, service, loan, travel, entertainment,  
5 hospitality, thing, or promise, or in any other form. No person shall,  
6 directly or indirectly, offer or make any such gift to any official, em-  
7 ployee, member of the general assembly, or legislative employee which  
8 has a value in excess of twenty-five (25) dollars. Nothing herein shall  
9 preclude campaign contributions or gifts which are unrelated to legis-  
10 lative activities or to state employment.

1 SEC. 6. No official, employee, or legislative employee shall receive,  
2 directly or indirectly, or enter into any agreement, express or implied,  
3 for any compensation, in whatever form, for the appearance or ren-  
4 dition of services by himself or another against the interest of the  
5 state in relation to any case, proceeding, application, or other matter  
6 before any state agency, any court of the state of Iowa, any federal  
7 court, or any federal bureau, agency, commission or department.

1 SEC. 7. No person who has served as an official or employee of a  
2 state agency shall within a period of two (2) years after the ter-  
3 mination of such service or employment appear before such state  
4 agency or receive compensation for any services rendered on behalf  
5 of any person, firm, corporation, or association in relation to any case,  
6 proceeding, or application with respect to which such person was  
7 directly concerned and in which he personally participated during  
8 the period of his service or employment.

9 No person who has served as the head of or on a commission or  
10 board of a regulatory agency or as a deputy thereof, shall within a  
11 period of two (2) years after the termination of such service receive  
12 compensation for any services rendered on behalf of any person,  
13 firm, corporation, or association in any case, proceedings, or appli-  
14 cation before the department with which he so served wherein his  
15 compensation is to be dependent or contingent upon any action by  
16 such agency with respect to any license, contract, certificate, ruling,  
17 decision, opinion, rate schedule, franchise, or other benefit, or in  
18 promoting or opposing, directly or indirectly, the passage of bills or  
19 resolutions before either house of the general assembly.

1 SEC. 8. In addition to any penalty contained in any other provi-  
2 sion of law, any person who knowingly and intentionally violates the  
3 provisions of section three (3) through six (6) and section eight (8)  
4 of this Act shall be guilty of a misdemeanor and may be suspended  
5 from his position.

1 SEC. 9. Actions to enforce the provisions of this Act may be com-  
2 menced by any legal resident of the state of Iowa who is twenty-one  
3 (21) years of age or more at the time of commencing the action or by  
4 the attorney general.

1 SEC. 10. Section seven hundred forty-one point one (741.1), Code  
2 1966, is hereby amended by inserting in line fourteen (14) after the  
3 word "gratuity." the following:

4 "The provisions of this section shall not be construed to apply to  
5 officials or employees of the state of Iowa nor to legislators or legis-  
6 lative employees."

1 SEC. 11. Sections seven hundred forty-one point six (741.6)  
2 through seven hundred forty-one point ten (741.10), Code 1966, are  
3 hereby repealed.

1 SEC. 12. There shall be an ethics committee in the senate and an  
2 ethics committee in the house, each to consist of seven members;  
3 three members to be appointed by the majority leader in each house,  
4 two members by the minority leader in each house and two indi-  
5 viduals who shall not be employees of the general assembly by the  
6 chief justice of the Iowa supreme court.

7 Each committee shall elect a chairman and shall have the following  
8 powers, duties and functions:

9 1. Prepare a code of ethics within thirty days after the commence-  
10 ment of the session.

11 2. Prepare rules relating to lobbyists and lobbying activities in the  
12 general assembly.

13 3. Issue advisory opinions interpreting constitutional and statu-  
14 tory provisions relating to legislators and lobbyists as well as inter-  
15 preting the code of ethics and rules issued pursuant to this section.  
16 Opinions shall be issued when approved by a majority of the seven  
17 members and may be issued upon the request of a member of the  
18 general assembly or upon the committee's initiation.

19 4. Investigate complaints and charges against members of its  
20 house and if warranted, report the results of such investigation to  
21 its house with recommendations for further action.

22 5. Recommend legislation relating to legislative ethics and lobby-  
23 ing activities.

24 The code of ethics and rules relating to lobbyists and lobbying ac-  
25 tivities shall not become effective until approved by the members of  
26 the house to which the proposed code and rules apply. The code or  
27 rules may be amended either upon the recommendation of the ethics  
28 committee or by members of the general assembly.

29 Violation of the code of ethics may result in the suspension of a  
30 member from the general assembly and the forfeiture of his salary  
31 if directed by a two-thirds ( $\frac{2}{3}$ ) vote of the house to which the mem-  
32 ber belongs. Such suspension or forfeiture of salary shall be for such  
33 duration as specified in the directing resolution provided however  
34 that it cannot extend beyond the date of adjournment of the session.  
35 Violation of the rules relating to lobbyists and lobbying activities  
36 may result in the suspension of any lobbyist if directed by a two-  
37 thirds ( $\frac{2}{3}$ ) vote of the house wherein the violation occurred.

Approved July 27, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

## CHAPTER 108

### VIET NAM VETERANS' PREFERENCE

#### S. F. 9

AN ACT relating to Viet Nam veterans' preference.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section seventy point one (70.1), Code 1966, is  
2 amended by inserting in line eleven (11) after the word "inclusive,"  
3 the words "and the Viet Nam Conflict beginning August 5, 1964 and  
4 ending on the date the armed forces of the United States are directed  
5 by formal order of the government of the United States to cease hos-  
6 tilities, both dates inclusive,".

Approved February 8, 1967.